



REPLY TO  
ATTENTION OF

SFAE-PS

**DEPARTMENT OF THE ARMY**  
OFFICE OF THE PROGRAM EXECUTIVE OFFICER  
ENTERPRISE INFORMATION SYSTEMS  
(PEO EIS)  
9350 HALL ROAD, SUITE 141  
FORT BELVOIR, VIRGINIA 22060-5526

7 September 2004

MEMORANDUM FOR SEE DISTRIBUTION

SUBJECT: PEO EIS Guidance for Requesting, Approving Overtime/Compensatory Time Worked for Civilian Employees

1. PURPOSE. This memorandum establishes PEO EIS procedures and responsibilities for those requesting overtime/comp-time for all PEO EIS civilians.

2. APPLICABILITY. All PEO EIS civilian employees.

3. POLICY. This is PEO EIS' guiding principle to compensate individuals who work overtime/comp-time in accordance with all governing laws, regulations, and applicable Labor-Management agreements.

a. Background: The goal of the overtime/comp-time guidance is to support mission accomplishment by compensating employees for mission critical work performed beyond their normal tour of duty in a fair and equitable manner, while at the same time maintaining fiscal responsibility. The Director of Business Management is the overtime/comp-time guidance proponent.

b. Employee Entitlement: An employee's job duties determine whether an employee is covered by the provisions of the Fair Labor Standards Act (FLSA) or exempt from it. This determination is made by the Civilian Personnel Operating Center (CPOC) as part of the job classification process, and is indicated on the official SF50 (block #35). Supervisors should check the official job description/SF50 (block #35) to verify an employee's FLSA status.

(1) Non-Exempt: These employees are governed by both the FLSA and Title 5 of the United States Code. The FLSA states that all Non-Exempt employees must be compensated for ALL work beyond the normal tour of duty, whether or not it was previously authorized.

(2) Exempt: These employees are not covered by the Fair Labor Standards Act, but are covered by Title 5 of the United States Code. The Code states that overtime is payable to Exempt employees ONLY for authorized/approved in advance work beyond the normal tour of duty.

c. Compensation: The Fair Labor Standards Act and Title 5 of the United States Code also dictate the type of compensation that can be given to Non-exempt and Exempt employees.

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(1) Non-Exempt: These employees are required to be paid overtime unless the employee specifically requests or agrees to accept compensatory time in lieu of paid overtime.

(2) Exempt: These employees can be required to accept compensatory time rather than paid overtime provided there are no provisions in the Labor-Management Agreements that would prohibit this action and that it was approved in advance.

(3) Managers are encouraged to maximize the use of compensatory time vice paid overtime wherever feasible. However, managers should also consider employee preference prior to directing the use of either paid overtime or compensatory time.

d. Compensatory Conversion Rule: Managers are reminded of the compensatory conversion rule, which states that all unused compensatory time following the twenty-sixth pay period converts into paid overtime. It is the responsibility of managers to ensure compensatory time is utilized prior to conversion. Earned compensatory time should be utilized prior to use of annual leave, except when doing so would cause the employee to forfeit annual leave.

e. Authorization:

(1) Authorizing Officials will be at least the employee's first-line supervisor or higher. Program Managers will be the Authorizing Officials for resident matrix personnel.

(2) During absences, officials may delegate their authorization responsibilities to other individuals whom they designate, in writing, to act in their behalf.

(3) It is the responsibility of the Authorizing Official, or their delegate, to authorize all work in advance. In addition, they must ensure that funds are available at the time the request for overtime is initiated.

(4) Authorizing Officials, or their delegate, will ensure that either the Civilian Overtime/Compensatory Time Form (DA Form 5172-R, see attached) is completed and signed prior to the incurrence of overtime where feasible, and when not feasible, as soon as possible after the work has been performed. It is mandatory that the DA Form 5172-R is attached to the timesheets that are turned in to the Payroll/CSR and that a copy must be kept by the timekeeper in each Directorate/PM Office. If this procedure is not followed, the overtime is considered not approved and will not be payable to employee. Further, they must ensure that these forms are retained for a period of six years, or until audited, whichever occurs first.

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(5) Management reserves the right to assign/direct overtime when essential, imperative, unavoidable and/or there is no alternative. Management should also prioritize workloads prior to authorizing/approving any overtime.

f. Overtime and Leave: In general, employees should not take leave in the same period that they work overtime. However, if this situation cannot be avoided, a justification must be included on the Civilian Overtime/Compensatory Time Form (DA Form 5172-R).

g. Management Reports: The Director of Business Management will continue to monitor overtime, comptime and LWOP reports provided by the Payroll, Customer Service Representative. Managers should utilize their leave reports to monitor and control actual overtime usage.

4. The POC for additional information is Debra A. Lee at DSN 655-3195 or COMM (703) 806-3195, email address: Debra.Lee@eis.army.mil.

Attachment



KEVIN CARROLL  
Program Executive Officer

<b>REQUEST, AUTHORIZATION, AND REPORT OF OVERTIME</b> For use of this form, see AR 37-105; the proponent agency is USAFAC.				<b>PAY PERIOD ENDING DATE</b>		<b>DATE PREPARED</b>		
<b>THRU</b> <i>(If applicable)</i>		<b>TO</b> <i>(Approving Officer)</i>		<b>FROM</b> <i>(Office or Division, Branch, Section, Unit or Separate Activity)</i>				
<b>INSTRUCTIONS</b>								
1. A separate request for overtime shall be prepared in an original and two copies for each pay period in which overtime is to be worked. One copy will be retained until the approved/disapproved copy is returned. 2. Enter the name of employees, social security number, grade and step, date work is to be performed, the clock hours of duty, number of overtime hours to be worked by each employee. 3. The requesting official shall sign the request and submit to the appropriate authorizing official. If the authorizing official concurs he/she shall sign the form and return a copy to the requesting office. The original will be forwarded to the Civilian Payroll Office.								
<i>Authority is hereby requested for the performance of the overtime described below which is beyond the regularly established 8-hour day or 40-hour week.</i>								
SOCIAL SECURITY NUMBER	EMPLOYEE NAME	GRADE/STEP	DATE WORK IS TO BE PERFORMED	CLOCK HOURS OF DUTY	NUMBER OF HOURS REQUESTED	METHOD OF COMPENSATION		
						Overtime	Holiday	*Compensatory Time
<b>*NOTE:</b> <i>(Employees occupying wage grade positions may not be granted compensatory time, except for employees working alternate work schedules.) (Compensatory time cannot be granted for holiday work.)</i>				<b>TOTAL HOURS</b>				

NATURE OF DUTIES AND JUSTIFICATION FOR OVERTIME *(Enter a short description of the work to be performed and the reason why it must be performed by overtime)*

TYPED NAME AND TITLE

REQUESTED BY *(Signature)*

DATE

TYPED NAME AND TITLE

AUTHORIZED BY *(Signature)*

DATE

REMARKS